

E AND R AMENDMENTS TO LB 5

Introduced by Enrollment and Review Committee: Nordquist, 7,
Chairperson

1 1. Strike the original sections and all amendments
2 thereto and insert the following new sections:

3 Section 1. Section 37-513, Reissue Revised Statutes of
4 Nebraska, is amended to read:

5 37-513 (1) It shall be unlawful to shoot at any wildlife
6 from any highway or roadway, which includes that area of land from
7 the center of the traveled surface to the right-of-way on either
8 side. Any person violating this subsection shall be guilty of a
9 Class III misdemeanor and shall be fined at least fifty dollars.

10 (2) (a) ~~It shall be unlawful to trap any wildlife in~~
11 ~~the county road right-of-way, except that the commission may~~
12 ~~allow trapping of raptors within the county road right-of-way in~~
13 ~~accordance with sections 37-497 to 37-4,103. Any county may enact a~~
14 ~~resolution prohibiting the trapping of wildlife in the county road~~
15 ~~right-of-way or in a certain area of the right-of-way as designated~~
16 ~~by the county.~~

17 (b) For purposes of this subsection, county road
18 right-of-way means the area which has been designated a part of the
19 county road system and which has not been vacated pursuant to law.

20 Sec. 2. Section 37-614, Reissue Revised Statutes of
21 Nebraska, is amended to read:

22 37-614 (1) When a person pleads guilty to or is convicted
23 of any violation listed in this subsection, the court shall, in

1 addition to any other penalty, revoke and require the immediate
2 surrender of all permits to hunt, fish, and harvest fur held by
3 such person and suspend the privilege of such person to hunt,
4 fish, and harvest fur and to purchase such permits for a period
5 of not less than one nor more than three years. The court shall
6 consider the number and severity of the violations of the Game Law
7 in determining the length of the revocation and suspension. The
8 violations shall be:

9 (a) Carelessly or purposely killing or causing injury to
10 livestock with a firearm or bow and arrow;

11 (b) Purposely taking or having in his or her possession
12 a number of game animals, game fish, game birds, or fur-bearing
13 animals exceeding twice the limit established pursuant to section
14 37-314;

15 (c) Taking any species of wildlife protected by the Game
16 Law during a closed season in violation of section 37-502;

17 (d) Resisting or obstructing any officer or any employee
18 of the commission in the discharge of his or her lawful duties in
19 violation of section 37-609; and

20 (e) Being a habitual offender of the Game Law.

21 (2) When a person pleads guilty to or is convicted of any
22 violation listed in this subsection, the court may, in addition to
23 any other penalty, revoke and require the immediate surrender of
24 all permits to hunt, fish, and harvest fur held by such person and
25 suspend the privilege of such person to hunt, fish, and harvest
26 fur and to purchase such permits for a period of not less than
27 one nor more than three years. The court shall consider the number

1 and severity of the violations of the Game Law in determining the
2 length of the revocation and suspension. The violations shall be:

3 (a) Hunting, fishing, or fur harvesting without a permit
4 in violation of section 37-411;

5 (b) Hunting from a vehicle, aircraft, or boat in
6 violation of section 37-513, 37-514, 37-515, 37-535, or 37-538;
7 and

8 ~~(c) Trapping wildlife in the county right-of-way in~~
9 ~~violation of section 37-513; and~~

10 ~~(d) (c)~~ (c) Knowingly taking any wildlife on private land
11 without permission in violation of section 37-722.

12 (3) When a person pleads guilty to or is convicted of
13 any violation of the Game Law or the rules and regulations of the
14 commission not listed in subsection (1) or (2) of this section, the
15 court may, in addition to any other penalty, revoke and require
16 the immediate surrender of all permits to hunt, fish, and harvest
17 fur held by such person and suspend the privilege of such person
18 to hunt, fish, and harvest fur and to purchase such permits for a
19 period of one year.

20 Sec. 3. Original sections 37-513 and 37-614, Reissue
21 Revised Statutes of Nebraska, are repealed.

22 Sec. 4. Since an emergency exists, this act takes effect
23 when passed and approved according to law.

24 2. On page 1, lines 4 and 5, strike "harmonize
25 provisions" and insert "authorize counties to prohibit trapping
26 wildlife in county road rights-of-way".